

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

E-P INTERNATIONAL DISTRIBUTION,)
INC., a Barbados corporation,)
Plaintiff,)
v.)
A&A DRUG COMPANY, a Nebraska)
corporation, and SAV-RX, LLC, a)
Nebraska limited liability company,)
Defendants,)
JAMES BARTA,)
Defendant-Intervenor.)

A&A DRUG COMPANY, a Nebraska)
corporation,)
Third-Party Plaintiff,)
v.)
BARBARA RIGBY and MALCOLM)
RIGBY,)
Third-Party Defendants.)

8:07CV186

ORDER

This matter is before the court on a motion in limine filed by third-party plaintiff/defendant A&A Drug Company, Inc.; defendant Sav-Rx; and intervenor defendant James Barta (collectively referred to as movants). Filing No. 216. The movants ask this court to rule on various issues that might occur during trial and to preclude testimony regarding these issues. Plaintiff E-P International and the third-party defendants Barbara Rigby and Malcom Rigby oppose the motion in limine, arguing that rulings are premature

at this time and that much of the evidence is in fact relevant. The court agrees with the plaintiff and the Rigbys. The court will deny the motion in limine as premature. All issues relate to evidentiary matters that will occur at trial. The court will listen to the evidence as it develops. Movants are free to make a motion at the relevant time and the court will make a ruling.

THEREFORE, IT IS ORDERED that the motion in limine, Filing No. 216, is denied as set forth herein.

DATED this 10th day of November, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge

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